

The City of Frederick, Maryland
PARKS & RECREATION COMMISSION

Minutes of June 16, 2010

(Approved July 21, 2010)

Members Present: D. Rivera, C. Meierhoefer, M. Lawrence, J. Grove, J. Baldi,
R. Knight

Staff Present: R. Myers, K. Winterstein,

Regrets: C. Effland, J. Myers, Alderman M. O'Connor

Absent: R. Jones

Meeting called to order by Vice Chairman J. Baldi at 7:00 p.m.

- 1. Review of the April 21, 2010 minutes:

Motion by D. Rivera to approve the minutes as submitted

2nd by C. Meierhoefer

All in favor.

- 2. Welcome new member Jennifer Grove. She provided that she is a City resident that lives at the other end of Baker Park and sells real estate through Bach and Associates. Volunteer for Celebrate Frederick and Friends of Baker Park as well as many other organizations. Happy to be part of this group.
- 3. Request from Friends of Baker Park for permission to add a new playground equipment unit and brick entry gate to the Fleming Avenue Playground next to Thomas Pool.

Kathy Fay, current President of Friends of Baker Park. Seeking permission to add to the equipment at the Fleming Avenue playground according to the letter dated June 7, 2010 which is in your packet. Those items are some swings, bouncing animals, see-saw and it says fire truck, but we are changing that to a school bus. Pictures are available if you would like to see. Also proposing a brick entry similar to the ones at Angleberger Field on a smaller scale which will include a plaque with the Friends name on it. Project cost is approximately \$15,000 and they have a contract ready to go once permission is granted. The project should be done this summer.

J. Baldi asked where the \$15,000 is coming from. K. Fay responded it is being donated by the Friends of Baker Park.

MOTION by R. Knight to approve the installation of additional playground equipment and a brick entrance feature as described by the Friends of Baker Park;

2nd by M. Lawrence

Vote: 4 - 0 / 2 recuse (Meierhoefer & Grove)

J. Baldi reminded K. Fay to work with staff regarding installation of the plaque as well. K. Fay also thanked the Commission members for volunteering their time and it is great to live in a community where people are so interested in doing things like this.

- 4. Request by Mr. Andy Nichols / Teamlink for waiver or reduction of fees for use of the Carroll Creek Urban Park Trellis for weekly canoe rentals.

Mr. Andy Nickols introduced himself and his sons Drew and Jake. Teamlink is an organization that has been in Frederick County for about 18 years teaching canoeing and rock climbing. A lot is taught at Hood College and all of the canoes and boats are stored at that location. Drew and Jake are minoring in business in college and suggested operating a canoe ride business on Carroll Creek Urban Park for the summer. Very low impact with 4-6 boats on Friday and Saturday evenings. Met with the Downtown Frederick Partnership along with ECDC and many of the business owner's downtown who showed a lot of support. Came to the City with the concept of having a card table with 4-6 boats at the landing and the fees almost prohibitive to do this. The equipment is located in the City but the actual business and residence is located in Frederick County. Pay \$60 an day to use the Trellis area. This has been tried on two (2) weekends. They grossed \$150 which \$120 went to the City in fees. It was very well received by patrons who continued to utilize area businesses after their boat ride. Provided a past contract with River & Trail Outfitters which indicated no fees were charged to them to bring in lots of boats. He is proposing only 4 - 6 boats and would like to get some relief on the fee.

J. Baldi stated a fee structure has been established by the City and the problem with making any exception is that if it is made for you that opens the door to many other such requests. While we commend what you are trying to do, we don't see a way around this.

Mr. Nickols stated there is a precedent already with River & Trail and that was with lots of boats.

R. Myers offered that the River & Trail contract was a promotion when the Creek first open and they are not doing it now. That was a different scenario than what Mr. Nickols is providing.

D. Rivera stated this is good business experience and you may want to consider expanding your hours or cost of a ride to cover the costs associated with this venture; but waiving the fees is not what he wants to see.

C. Meierhoefer asked is there somewhere else the boats could be put in the creek. Mr. Nickols responded that in speaking with Kara Norman of the Downtown Frederick Partnership, that was where she wanted to see this take place. R. Myers offers that the Trellis is the cheapest area; other areas are more expensive and since they are not City residents the fee is double that of the City fee. Mr. Nickols stated that they at least are resident of Frederick County.

M. Lawrence asked if there is anyway to have a City resident apply for the permit to reduce the fee. Mr. Nickols stated they have looked at different avenues and others are in support of this including Richard Griffin and Rick Weldon. As it stands it is not feasible. We could bring more boats in but not sure that is actually congruent with what the Creek is designed for.

J. Baldi has no issues with the concept and it is an excellent idea, but does not see a way around the fees.

Mr. Nickols stated that the ten (10) days prior to the event submittal leaves it open to losing money due to weather issues and there is no refund. K. Winterstein offered that if it is rained out we will work with you to find another date and move the fees from the rainout date to the new date so you don't lose money.

Much discussion went back and forth regarding charging more fees, finding a City address for the application, reviewing their business plan, etc.

Mr. Paul Smith stated it seems to him that there is no one else putting anything on the Creek now and the City would certainly benefit. Clearly they are not making a lot of money on this and if you were to make an exception, this really is a very narrow exception for someone to operate on the water and for an experimental period that the City ought to go out of their way to see this happen. It would be a great benefit to the City.

R. Myers asked if Mr. Nickols asked River & Trail why they did not want to do this any longer? Mr. Nickols stated they said the costs were prohibitive for transportation, staff and the numbers they have to do to make any money at all. R. Myers asked why it could work for them and not for River & Trail. Mr. Nickols stated it was because they are making what they are making and the boats are stored four to six blocks from the Creek. R. Myers further stated that we also offered to store River & Trails equipment for free at the time also so there was not a transportation issue. Mr. Nickols stated they use their equipment during the week and could not leave it in the City and his equipment is not used in the summer. R. Myers stated it seems this has not worked in the past because you just don't get the walk up business needed to support the costs.

Mr. Nickols stated that the fees charged to set up a card table are prohibitive and maybe the City should change the fees. R. Myers responded it is not about that; it's about the fact that it cost \$10 million to build the Creek, \$248,000 annually to maintain and at some point the City has to try to recoup some of those funds in order to balance this monster of a budget. Once you start giving all the pieces away, eventually there is nothing left; but when there is something marketable as the Creek business or people will want to be part of it. What I'm trying to protect is not having lots of "card tables" set up along the Creek with less than desirable goods. There was thought given to the fee structure when it was originally set up and that is what we are trying to move forward with. Mr. Nickols stated this is a recreational pursuant and is somewhat different to the example given.

MOTION by D. Rivera to recommend to the Mayor and Board not to waive or reduce fees for the Trellis rental at Carroll Creek Urban Park for Teamlink;

2nd by R. Knight

ALL IN FAVOR.

R. Myers asked Mr. Nickols if he wanted to pursue this through to the Mayor and Board of Alderman at their July 15, 2010 meeting. Mr. Nickols responded they do not want to pursue further at this time.

- 5. Request from Sertoma Club of Frederick for waiver or reduction of fees at the City's satellite sites for their basketball league.

Ms. Shirley Fossett, chairperson for the Sertoma off street basketball league which as been serving Frederick County for over 50 years and she has run the league for 17 years. Request for a waiver or reduction of fees for this year is due to the fact that Lincoln Elementary School is no longer available due to renovations. Currently serve approximately 250 - 300 children per year in the intercity. We are just looking for relief this year as there is no money for rental space. Want to continue to serve the children to keep them off the streets and teach them community service, fundraising for organizations, leadership, education, etc.

R. Myers introduced Cheryl Radcliffe, Recreation Supervisor who is in charge of the City's three (3) satellite sites - Thomas Johnson Middle School, Whittier Elementary School and the Trinity School. C. Radcliffe stated that we service the three sites and have our own programs/classes as well. We cannot accommodate the amount of applications received and groups have been turned away. Every attempt is made to give everyone some time, but the actual time available to rent is limited. Most of the groups are non-profit and we try to assist everyone if possible. On Saturday's we work from 8:00 a.m. to 8:00 p.m. with youth leagues. As much as we would like to assist renters, we just received the fuel bill, or Energy Reimbursement Bill, from the

Board of Education for the TJMS and WES sites for a total of approximately \$9,000 which the City has to pay. We have to try to recoup our money on the energy costs and staffing. R. Myers asked if our fees are the same as Frederick County's Recreation Department and C. Radcliffe concurred.

R. Myers offered some history regarding the school sites. In 1994, the City, County and Board of Education went into a School Use Agreement where they felt when building and elementary or middle school, they will build a high school size gymnasium at the facility with the idea that if in the City, we would run it or if in the County; their Rec Department would run it. It's a great deal because as taxpayers, we are not building a Rec Center right next to a school; when school is not in session it becomes a Rec Center with our own office, our own entrance, our own storage room and our own classroom. The Energy Reimbursement is charged based on their costs to heat, cool, provide electricity, etc. to each site through the course of the year. We try to make sure that each of our Rec Department's (City and County) charges the same rental rates at all school sites. The good thing is when Lincoln's renovation is complete, that will become another City satellite site facility to come on line. The existing gym is not very big and the new one will be much nicer.

R. Myers asked Cheryl to explain how rental requests are handles; are there specific groups that get special attention. She stated there is a priority list for renters; first is the Board of Education, second is the Rec Department then the non-profit groups over full profit rental groups. She tries to divvy the time out with as many groups as possible. There are times it is difficult to provide the dates/times that everyone wants. S. Fossett stated they did not rent from us this last year, but when she called she was told if you had it last year, you are first this year. With the BOE it is all first come, first serve and she takes off June 1 of every year to deliver paperwork to each site. But with the City it's hard to get in the door if you have not used the facility and this happens with Frederick County as well. Unless someone drops out you might be able to get in. We understand there are a lot of leagues looking for space. We are looking for 14 hours a week at about 18 weeks and we don't care where it is at. Currently have North Frederick and Hillcrest as well. Cheryl stated the only time the first come, first serve is not honored is November through March as that is the prime time season for gym time. We have basketball, soccer, our own programs that have grown, etc. Calls are already being received now for gym time in November and cannot be honored at this time.

Audience member Mr. Jim Robbins offered to contact Michelle Bowman of the Frederick Police Department to use the Police Activities League (PAL) Center.

Jonneita Bowins of Sertoma mentioned that last year we were considered auxiliary custodians at Lincoln which waived the fee for use of the facility. We are trying to eliminate raising costs to participants. We can't wait for the day that Frederick has a facility like Germantown. S. Fossett stated we are here asking for financial relief this year only.

J. Baldi stated that as past president of Sunrise Sertoma and has children that participated in the league; we are at the same impasse as we were with the previous item. We can't give one group a break and not to others. R. Myers stated we may not have the hours available that she is requesting.

Mr. Gene Fossett asked if other groups have asked for financial relief in the future. R. Myers stated no requests have ever been made at this level for waiver and/or reduction of fees at any of our satellite sites.

D. Rivera stated he would vote for a reduction of fees due to the fact it's for the kids.

MOTION by J. Baldi to recommend to the Mayor and Board of Alderman to not allow a waiver and/or reduction of fees at the City's satellite sites;

2nd by M. Lawrence

Vote: 5 in favor / 1 against

R. Myers asked Ms. Fossett if she wanted to pursue this through to the Mayor and Board of Alderman at their July 15, 2010 meeting. Ms. Fossett responded they do not want to pursue further at this time.

- 7. Request from the Appalachian & Catoctin Mountain Districts Boy Scouts of America for permission to use Baker Park overnight on Friday, October 15, 2010 for their "Camporee 100 Year Celebration".

Mr. Jim Robbins representing the Boy Scouts of American Catoctin Mountain District and Chairman for the Camporee; Mr. Ron Layman, Co Chairman and Mr. Paul Smith is the District Chairman. We are only asking for the use of Baker Park for a Camporee celebrating 100 years of the Boy Scouts of America and to be able to camp overnight on Friday, October 15, 2010. This is different from a standard camporee as it will be a demonstration. We want the Cub Scouts, Boy Scouts and Venture Crews to demonstrate to the community what we actually do. It will also be a recruitment tool. Security will be handled through the Explorer Posts for the City and County. We would also like to have the Talley Center as a rain location on Saturday only. There has been such an event in the Baker Park in 1989 and another event in the mid 1990's.

R. Myers reminded the Commission that their request being heard is because per City Ordinance Parks close at 10:00 p.m. and they would technically be going against the Ordinance without this approval.

Mr. Robbins stated that only the Boy Scouts will be staying over night for a possible total of 300 scouts and leaders.

MOTION by R. Knight to recommend to the Mayor and Board of Alderman to allow the Boy Scouts of America "Camporee" event to use Baker Park overnight on Friday, October 15, 2010;

2nd by J. Grove

ALL IN FAVOR

**R. Myers reminded Mr. Robbins this item will go before the Mayor and Board of Alderman on July 15, 2010.

- 8. Request from the Frederick Alliance for Youth for a recommendation to partner with The City in using a portion of the Hargett Farm property for their proposed youth center.

Mr. Scott Alexander of the Alliance offered the following the history that this is a group of leaders and the Ausherman Family Foundation committed seed money for this project. We are interested in building a youth center on the west side of town; creating or supporting high quality programs that promote healthy development and resiliency of families; support community safety and developing a strong collaboration not only with the community but with other non-profits. We started this process with focus groups and developed our program model from the ground up in response to community need with a set number of goals to work on. Currently operating out of the Hope VI Community Center with the Boys and Girls Club supplying staff and programming along with what we are doing. Working with FCAA to provide meals and snacks; downtown Piano Works provides piano lessons; Banner School allows participation in their after school karate program; City's PAL program and police officers; with the best being FCC Kids On Campus program that operates out of our center four (4) times a year with us with half paying and half from the community.

In creating a safe place, we want to build this building. In negotiating with BOE for a center on the Hillcrest Elementary School site ran into some snags. That process was started before the City acquired the Hargett Farm property. We have presented to the Mayor and Board twice - we are not asking for money, we have the talent and funding but need the land. Support from this Commission is needed to partner with The City using their land and there is a big overlap in what we are all trying to accomplish.

At this point we are exploring; we understand The City does not know what it wants to do with the Hargett Farm property and that they are looking to the Alliance and

Parks & Recreation to design and drive what is going to happen on that site and we would like to be a part of that with your support.

R. Myers stated they have been to a Mayor and Board Workshop and basically they are looking for positive comments from this Commission to be reflected in the minutes that as we get closer to developing this park or when the Alliance comes up with funding they could build a portion of the Hargett Farm property for what they need and we could then build the park around it. It is very preliminary but they are currently looking for favorable comments from this recommending body.

R. Myers offered that the Hargett Farm is a 148 acre parcel of land to be used as a regional park on Butterfly Lane that the last administration purchased. Part of the parcel will go to a school site on which the BOE is going to build another elementary school at about 25 acres. The rest is for staff to design.

J. Grove stated that the programming through the Alliance is great. Mr. Alexander stated that currently they walk through Hill Street Park daily and do active programming in that park. Word of mouth has gotten out and about twenty additional kids are showing up to participate - first, second and third graders and we are happy to accept them. There is a joint venture opportunity with The City Recreation Department at the parks on many levels and we would like to do this as a pilot project in the coming months.

Mr. Alexander stated they are planning to building about a 30,000 sf facility that will allow up to 300 kids at a cost of \$4 to \$5 million. The Ausherman Family Foundation has committed 25% of the funding for the building. We can't actually move forward with anything until we have a site and currently there is no land available in that area of the City for a building of this size.

R. Knight asked what is the downside. R. Myers responded there is none. Mr. Alexander concurred. The Alliance Board is a committed group of community members that have a long standing history in the area. Fundraising will be happening

and the City would own the land the building will occupy. This could be precedent setting for future opportunities. Our projection is that 80% of the kids that come in will not be paying anything and we will not be making money; you can't create a separate but equal system so we do want to have 20% paying customers. The programming is universally appropriate with kids; my kids hang out with those kids and there are lots of great stories to tell. The program is good and it is right for any kid regardless.

R. Myers stated that a benefit to this is that we own the property and the way the budget looks is I will be surprised if we will have money for this project in the next ten years for recreational development. This might be an opportunity for the Alliance to come forward if they raise the money and actually get something moving at that site sooner than the City would be able to. The Planning Department has created a survey on the website and we ask that everyone take the survey. One of the questions is should the City pursue public/private partnerships which is exactly what we are talking about now.

J. Baldi stated this is a wonderful idea and he is very much in favor of going forward.

All members concurred that this request be encouraged to move forward as opportunities present themselves.

- 6. Request from Wilmer Lankford, Manager Surveying/Mapping for the City, for approval of an agreement in principle to grant an ingress/egress easement to The Archaeological Conservancy (TAC) for their personnel to utilize the existing golf course cart path for foot traffic to gain access to their proposed land to be acquired from the Aldi Corporation immediately adjacent.

Mr. Andy Stout, Eastern Regional Director for TAC was present and happy to present on Mr. Lankford's behalf. The TAC is the only national non-profit in the US that

acquires America's most significant archaeological sites like the Nature Conservancy, we protect cultural sites. The TAC has been around for 30 years and the leading provider of tours in north and Central America. We have 23,000 members across the county and the only organization that does what we do. In the US, archaeological sites on private property are not protected from destruction even if they are listed on the National Register of Historic Places. If you own the site you can do whatever you want with it unless you live in a town like the City of Frederick that has an Ordinance.

Through the request of this easement across the Clustered Spires Golf Course is an opportunity to remove Frederick's most significant prehistoric archaeological site out of private property for the first time ever. The site is currently owned by Aldi, Inc. and called the Rosenstock site; this is a late woodland period village that would have been inhabited from about 900 to roughly 1500 AD. Roughly hundreds of people lived at this location, populated villages with houses. Trash pits have been excavated in the 1980's by the Maryland Historic Trust with the current State archaeologist oversaw excavations. An amazing amount of research potential still exists at the site. It is located on Aldi property on Gas House Pike in a Forest Conservation Easement (FCE) area and within the FCE area there is an Aviation Easement area that the airport maintains because this property is directly across the river from the airport. Within the Aviation Easement area there is also a Maryland Historic Trust Easement area and that actually is an easement over the archaeological site itself. Part of the problem and one of the reason the TAC wants to own this site in addition to just removing it from private ownership, is to get all the easement holders under one tent because the Aviation easement is in direct conflict with the Maryland Historic Trust Easement because the Aviation easement allows the airport to come in by any means necessary, is the easement language, to remove the trees. The Maryland Historic Trust easement says that no ground disturbing activity of any kind can take place without approval of the Trust. We think that if we can get everyone under one tent it will help avoid any future disasters at the site and we are asking for access across the golf course. It comes in using a golf cart path with pedestrian access only. The reason we need this is that Aldi is willing to donate the site for preservation purposes but they will not donate a way to get to the site because they have a secured facility with a guard post and they do not want any traffic through it. We came up with as long as the City is allowing us access to this Forest Conservation Easement then Aldi is willing to give us access to the Conservation Easement area to actually get to the land that we are acquiring. The reason this is important to even attempt to do this is that ideally we would have some other situation where we did not have to go through all this, but because this is the only opportunity that has presented itself.

Map was provided showing the actual easement area. R. Myers stated there will be no vehicles; foot traffic only and the Golf Pro and he have no issues with allowing the easement. The TAC will provide 24 hours notice of arrival and get it approved by the City. Mr. Stout stated the easement would only be used for management activities, to go and check on the site, and all of our properties are research preserves so if a professional archaeologist wanted to conduct an excavation out there, they would submit a proposal and we would work with the golf course and coordinate so as not to disrupt the normal activity of the golf course itself. Possible access may only be a few times a year and research may or may not every happen.

Mr. Stout further offered that items have been found at the site. They found one cougar skull at the bottom of a trash pit that they found; they found evidence that these people were actually interacting a lot with tribes in Pennsylvania because of the types of pottery that was found. This is called the Montgomery Complex based on the types of pottery that they used.

MOTION by R. Knight to recommend to the Mayor and Board of Alderman to allow The Archaeological Conservancy (TAC) access to the Aldi site through the Clustered Spires Golf Course;

2nd by D. Rivera

ALL IN FAVOR.

****This item will go to the July 15, 2010 Mayor and Board of Alderman meeting.**

PUBLIC COMMENT:

Mr. Sandy Brown of 597 Over Ridge Drive asked to speak about Hillcrest Park. Concern over the fact that there is nothing there. The basketball court was removed. There are toys for the tots and a small pavilion. I've lived there 32 years and no one uses it. What is going to be put in its place? Suggest putting in a larger pavilion. With Hill Street and the Hargett Farm this park is being forgotten. No one uses the baseball field.

R. Myers stated that about 1/3 of our baseball fields are not used. It is not large enough for a multi-purpose field. The basketball court was recently relocated to Hill Street Park.

Mr. Brown stated he would like to see a larger pavilion, horseshoe pits, volleyball; something to bring folks to the park.

- 9. Election of Officers:

C. Meierhoefer nominated J. Baldi as Chairman and M. Lawrence as Vice Chairman

2nd by D. Rivera

ALL IN FAVOR

Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Kristi A. Winterstein

Commission Secretary